

REMARKS

Status of the Claims

All claims 1-26 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,690,391 (Proehl). Claim 1 is amended herein. The amendment to claim 1 is not in response to the rejection, but rather made to improve the clarity of the claim. Claim 1 is allowable over Proehl for reasons unrelated to the amendment.

Proehl

The Proehl '391 patent discloses a remote control 10 (Figure 1) or 30 (Figure 2) with a scroll wheel 12 (Figure 1) or 38 (Figure 2) and a corresponding on-screen graphical user interface (GUI), which has a fixed horizontal status bar 102, 230, or 250 through which choices in user navigable fields scroll vertically in response to activation of the remote control's scroll wheel. Proehl's system is intended to "allow[] the user to easily navigate AV options that may be presented in a variety of formats, including an electronic program guide (EPG), websites, and AV device menus, on a television screen, monitor, screen or other display apparatus." Col. 3, lines 2-6. For example, Proehl's systems allows a user to scroll through and select from various applications, such as help, shopping, playing CDs, television, video recording, and WWW surfing (Figures 7-8); to scroll through and select from available song choices on a CD (Figures 5-6 and 12-14); to scroll through and select from available television channels (Figures 9-11); etc.

Proehl's system accesses data in a variety of disparate databases, such as local CD track lists, a television programming (EPG) database, and music download databases. Those and other databases are illustrated by reference numbers 42a ... 42m and 49a ... 49i in Proehl's Figure 3 and described at column 7, lines 21-36.

Proehl does not describe how his various applications or routines interface with those databases. Instead, Proehl describes the overall functionality of his system and GUI without disclosing any particular software architecture. Notably, the only passages of Proehl's specification mentioning his databases are column 7, lines 21-36 (cited above) and a passing mention at column 13, lines 56-58.

Claim 1

Claim 1 stands rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Proehl. The Applicants believe that claim 1 is patentable over Proehl for at least the reasons that follow. Claim 1 now reads as follows (with emphasis added):

1. An interface for linking one or more applications to a plurality of databases comprising:

a plurality of nodes to retrieve data from one or more of said databases and to provide said data to said one or more applications in a consistent manner; and

one or more services to perform predefined actions associated with said nodes,

wherein at least one of said nodes is associated with several different services and at least one of said services is associated with several different nodes.

In its rejection of claim 1, the Office action correctly notes that Proehl discloses a variety of different databases and different applications. The rejection then goes on to assert, with reference to Figure 3, that Proehl disclose “a plurality of nodes 44, 48, 52a-52n (remote/local servers/network devices) to retrieve data from the one or more databases and to provide the data to the one or more applications (options/applications) in a consistent (shown through the same GUI/application interface 50 & 62 – fig. 3) manner (fig. 7, 8, 12, 16, 18 . . .).” The Applicants disagree with this characterization of Proehl. While it is true that Proehl’s remote server 44 and home server 48 are “nodes” on the Internet 46, and it is true that Proehl discloses multiple applications that display data from various databases in a consistent manner, it is not correct to assume that Proehl’s remote server 44, home server 48, or any other element in Proehl’s system “provide[s] said data to said one or more applications in a consistent manner.”

The providing of data in a consistent manner is quite different from the displaying of data in a consistent manner. Pages 38-46 of the specification, for example, describe one embodiment in which “nodes” provide data to “services” in a consistent manner:

AN INTERFACE AND METHOD FOR MANAGING MULTIMEDIA CONTENT AND RELATED INFORMATION

As described above, the digital media server 210 may be capable of processing various unrelated, normally incompatible

types of multimedia content and data. For example, in one embodiment, the digital media server 210 processes and stores cable/satellite broadcast content and associated programming data (e.g., EPG data), CD audio content and associated CD data (e.g., album titles, track data), and various types of Internet-related content (e.g., e-commerce transaction data, Web pages, email data, chat room data and/or on-demand streaming media).

Thus, as illustrated in Figure 10, in one embodiment of the invention, a generic data management interface 1030 is provided through which applications 1040, including the graphical user interface ("GUI") 1050 described in detail above, access the various types of data and multimedia content. As indicated, this may include, but is not limited to electronic program guide ("EPG") data 1011 transmitted over a live EPG feed, CD/DVD data 1012 retrieved from the Internet or directly from a CD/DVD database (e.g., such as the CDDB/Gracenote CD database), on-demand/Internet data 1013, and/or the underlying multimedia content itself 1010 (e.g., recorded video programs and CD audio content). In addition, as will be described in detail below, one embodiment of the data management interface 1030 is readily adaptable to future types of data/content 1014.

Nodes

As illustrated in Figure 11, one embodiment of the data management interface 1030 is comprised of two types of data objects, referred to herein as nodes 1100 and services 1110, respectively. Nodes 1100 are generic data interfaces between the databases 1010-1014 and the GUI 1050 and other applications 1050. Services 1110 provide actions which may be performed on nodes. Services 1110 will be described in detail below.

Nodes 1100 gather data from the various incompatible media databases 1010-1014 and store the data in memory in a generic manner which the GUI 1050 and other applications 1050 can interpret through a uniform interface of function calls. Each of the nodes 1100 may be programmed to reference a specific set of database 1010-1014 attributes in a consistent manner (e.g., a single identified row of an SQL data table). In one embodiment, the nodes 1100 are C++ objects; however, the underlying principles of the invention are not limited to any particular programming language.

Specification at 38-39 (emphasis added). The specification describes an advantage of this embodiment as follows:

Separating nodes (containing the underlying data) from services (containing operations related to the data) in this manner provides for a significantly improved system architecture. For example, individual services may be added (i.e., “plugged in”), modified or removed without affecting the entire system. For example, if a new audio editing service is developed, it may be incorporated into the system seamlessly, without affecting any of the nodes with which it is associated or any of the other services. The new service will be linked to a group of nodes via the Node Manager 1300 and will subsequently appear in action menus associated with the nodes it services (e.g., all of the nodes associated with audio content).

Specification at 45.

Proehl does not contain sufficiently detailed disclosure of its software architecture to support the rejection. While Proehl discloses a variety of diverse databases and a variety of diverse applications that take data from those databases and present that data in a consistent style, Proehl does not disclose software “nodes” or other objects that are placed intermediate between the databases and the applications and that function “to provide said data to said one or more applications in a consistent manner,” as claim 1 recites. Proehl is silent as to how his applications interface with the various databases in his system. The Proehl patent certainly does not describe the remote server 44, the home server 48, or any of the devices 52a-52n as functioning in that way. One skilled in the art would most likely assume from reading Proehl’s patent that his applications take in data from various databases in numerous different forms and process that differently formatted data. That is the conventional and most natural way one skilled in the art would interface with a number of diverse databases, in the absence of the present application’s teachings. As such, the anticipation rejection of claim 1 based on Proehl is not well-founded and must be withdrawn.

Furthermore, claim 1 is non-obvious over Proehl because Proehl does not in any way teach, suggest, or intimate the use of a “node” or other object, routine, device, or the like as an intermediate between the applications and the databases “to provide said data to said one or more applications in a consistent manner.”

Claims 2-13 depend from claim 1 and should be allowed for at least the fact of their dependence on allowable claim 1.

Claim 14

Claim 14 also stands rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Proehl. The Office action grouped claim 14 together with claim 1 for purposes of the Proehl-based rejection. However, claim 14 reads as follows (with emphasis added):

14. A data interface layer within a multimedia system for providing data from a plurality of different multimedia databases to one or more applications comprising:

a first data interface object adapted to retrieve a first set of data from a first one of said databases and provide said data to said applications;

a second data interface object adapted to retrieve a second set of data from a second one of said databases and provide said data to said applications,

wherein said data is provided to said applications from both said first data interface object and said second data interface object in a consistent manner.

The Applicants believe that claim 14 is patentable over Proehl for reasons similar to those presented above in regard to claim 1, as Proehl fails to disclose the first and second “data interface object[s]” “wherein said data is provided to said applications from both said first data interface object and said second data interface object in a consistent manner.” Moreover, Proehl does not disclose any “objects” at all, let alone “data interface object[s].” The Applicants therefore request allowance of claim 14 and its dependent claims 15-22.

Claim 23

Claim 23 also stands rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Proehl. The Office action did not specifically address claims 23 differently from the earlier claims. However, claim 23 reads as follows (with emphasis added):

23. A system comprising:

a plurality of disparate databases containing data related to multimedia content and/or Internet content;

a plurality of applications to access and process data from said databases; and

a node layer comprising a plurality of nodes including a first type of node adapted to retrieve data from a first type of database and a second type of node adapted to retrieve data

from a second type of database, wherein both said first type of node and said second type of node provide said data to said applications in a consistent data format.

The Applicants believe that claim 23 is patentable over Proehl for reasons similar to those presented above in regard to claim 1, as Proehl fails to disclose the first and second “type[s] of nodes” “wherein both said first type of node and said second type of node provide said data to said applications in a consistent data format.” The Applicants therefore request allowance of claim 23 and its dependent claims 24-26.


Conclusion

The Applicants submit that the application is condition for allowance and respectfully requests a Notice of Allowability. If the Examiner has any concerns about the application, or if the undersigned attorney can assist in expediting the allowance of the application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

Digeo, Inc.

Dated: 2006 Oct. 3

By 
Matthew C. Phillips
Registration No. 43,403

STOEL RIVES LLP
900 SW Fifth Avenue, Suite 2600
Portland, Oregon 97204-1268
Telephone: (503) 224-3380
Facsimile: (503) 220-2480

Attorney Docket No.: 50588/365